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8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF HAWAII

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 WILLIAM C. TURNER,

14 Defendant.  
15

Case No. 1:16-cr-00207-SOM

**DR. TURNER'S RESPONSE TO  
COURT'S REQUEST FOR  
DESCRIPTION OF PROFESSIONAL  
DIFFICULTIES RESULTING FROM  
PROBATION**

16 In Dr. Turner's motion for early termination of probation (dkt. 103) and subsequent reply  
17 (dkt. 109), he referenced the fact that the conditions of his probationary supervision have  
18 inconvenienced his work and hindered his ability to pursue career opportunities. This Court  
19 requested a more detailed description of the professional difficulties arising from the term of  
20 probation that Dr. Turner is currently serving. Dkt. 110. Presently, Dr. Turner provides this  
21 response to the Court's inquiry.  
22

23 Dr. Turner's probationary sentence frustrates his professional development in two  
24 primary ways. First, as a purely practical matter, Dr. Turner is an emergency room physician who  
25 often works night shifts, forcing him to sleep during the day. When Dr. Turner must report to  
26 probation, such reporting takes place during normal daytime hours, and as a result, such reporting  
27 inevitably forces Dr. Turner to reject available shifts, request inconvenient alterations to his work  
28

1 schedule, or skip sleep altogether, a practice that is ill-advised for a doctor in a high-stress  
2 medical environment.

3 But Dr. Turner's probation has also stifled his ability to seek career advancement and  
4 work at the levels he would normally perform. Dr. Turner is currently employed at the Jamaica  
5 Hospital Medical Center in Queens, while Dr. Turner resides in Long Island. Ordinarily, Dr.  
6 Turner would seek employment at a hospital closer to his home, as well as additional employment  
7 at more than one hospital. It is common for emergency room physicians to operate at more than  
8 one hospital, and it is also common for such physicians to be somewhat transitory in the  
9 institutions at which they work. But because Dr. Turner is on probation, he must seek the  
10 approval of U.S. Probation in order to move or change his normal work schedule. He also has  
11 refrained from applying to additional hospitals due to his current probationary term, naturally  
12 fearing he will not be able to obtain employment from these institutions when he informs them  
13 of his ongoing criminal supervision. Unlike other similarly situated physicians, Dr. Turner is  
14 hindered in his ability to work the hours he would customarily work and to seek employment at  
15 the hospitals in which he would customarily work.  
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1 Terminating Dr. Turner's probation will not cause any harm to the public or detract in  
2 any way from the goals of criminal sentencing. But it will allow Dr. Turner access to his full  
3 array of career options and enable him to return to his former levels of employment. Probation  
4 does no one any good when it restricts a person's ability to find work and make a living, and it  
5 does no emergency room patients any good when it denies them access to doctors who would  
6 otherwise be available to assist them. For this reason, as well as all of those put forth in his  
7 moving papers, Dr. Turner requests this Court terminate his probation.  
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9 Respectfully submitted,

10 **BAY AREA CRIMINAL LAWYERS, PC**

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12 Dated: January 25, 2019

By: /s/David J. Cohen  
DAVID J. COHEN, ESQ.

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14 Attorneys for Defendant **William Turner**  
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